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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. CR01-183-RSL
09 Plaintiff,)
10 v.) SUMMARY REPORT OF U.S.
11 JACQUELINE SUE GILL,) MAGISTRATE JUDGE AS TO
12 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
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14 An evidentiary hearing on supervised release revocation in this case was scheduled before
15 me on January 27, 2006. The United States was represented by AUSA Susan M. Harrison and
16 the defendant by Paula S. Deutsch . The proceedings were digitally recorded.

17 Defendant had been sentenced on or about October 26, 2001 by the Honorable Barbara
18 Jacobs Rothstein on a charge of Acquiring and Possessing a Controlled Substance by Fraud and
19 Deceit and Fraudulent Use of an Access Device, and sentenced to 21 months custody, 3 years
20 supervised release. (Dkt. 29).

21 The conditions of supervised release included the standard conditions plus the requirements
22 that defendant not possess any firearms, submit to mandatory drug testing, participate in a drug

01 dependency/narcotic addiction program with testing, abstain from alcohol, submit to search,
02 participate in a mental health program, provide her probation officer with financial information,
03 maintain a single checking account for all financial transactions, provide documentation of any
04 business interests, disclose all assets and liabilities to probation officer, pay restitution and do not
05 incur new credit without permission. An amended judgment was entered on October 27, 2001
06 specifying the amount of restitution to be \$81,396.42. (Dkt. 35). Her sentence was amended on
07 December 12, 2002 to specify 18 months in custody, with credit for time served, and a
08 recommendation that the remainder of her sentence be served in a half way house. (Dkt. 51) The
09 other supervised release conditions remained the same.

10 In an application dated December 7, 2005 (Dkt 53), U.S. Probation Officer Brian K.
11 Facklam alleged the following violations of the conditions of probation:

- 12 1. Failing to appear for drug testing on May 9, August 11, October 27, November 10
13 and November 17, 2005 in violation of special condition number 3.
- 14 2. Failing to pay restitution as directed in violation of special condition 6.
- 15 3. Obtaining new credit in violation of special condition 11.
- 16 4. Failing to follow the instructions of the probation officer in violation of standard
17 condition 3.

18 Defendant was advised in full as to those charges and as to her constitutional rights.

19 Defendant admitted alleged violations 1 and 2 and waived any evidentiary hearing as to
20 whether they occurred. The government moved to dismiss violations 3 and 4.

21 I therefore recommend the Court find defendant violated her supervised release as alleged
22 in violations 1 and 2, that the Court dismiss violations number 3 and 4, and that the Court conduct

01 a hearing limited to the issue of disposition. The next hearing will be set before Judge Lasnik.

02 Pending a final determination by the Court, defendant has been released on the conditions
03 of her supervised release.

04 DATED this 27th day of January, 2006.

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06 Mary Alice Theiler
07 United States Magistrate Judge

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09 cc: District Judge: Honorable Robert S. Lasnik
10 AUSA: Susan M. Harrison
11 Defendant's attorney: Paula S. Deutsch
12 Probation officer: Brian K. Facklam
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